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38823	7590	03/28/2007	EXAMINER	
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/ BELLSOUTH I.P. CORP 100 GALLERIA PARKWAY SUITE 1750 ATLANTA, GA 30339			RAMAKRISHNAIAH, MELUR	
			ART UNIT	PAPER NUMBER
			2614	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE		DELIVERY MODE	
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Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)
	10/755,491	KENT ET AL.
	Examiner	Art Unit
	Melur Ramakrishnaiah	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 15 January 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-32 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application
- 6) Other: _____

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Archer (US PAT: 6,683,870, filed 6-25-1998) in view of Pepper et al. (US PAT: 5,930,700, hereinafter Pepper).

Regarding claim 1, Archer discloses an intelligent interactive call handling system, comprising: a central office in (118, fig. 2) to trigger a query responsive to receiving a call request to a called party, a call handling device (128, fig. 2) operable to receive query, and trigger an internet call routing query, an internet call routing system (figs. 2-3) coupled to the call handling device, the internet call routing system operable to receive internet call routing query, send a prompt notification of the incoming call to the called party at a plurality of registered communication devices (120a, 120b, 134a, 134b, fig. 2, col. 4, line 18 – col. 7, line 22), call handling device in(128, fig. 2) forwards call handling from the internet call routing system to the central office (this is implied by the fact that when called user has responded to call notification, the server processor 128 terminates connection and then a communication connection is established between a caller telephone 114 (fig. 1) and the called party at, for example telephone 120 b(fig. 1); col. 7 lines 14-22).

Archer differs from claim 1 in that he does not specifically teach the following: detecting the presence of the called party, and the notification prompting the called party for instructions for handling the incoming the call, and route the call in accordance with instruction from the called party that is received in reply to the notification, and route the call to the called party telephone number if no information is received from the called party in reply to the notification after a set period of time.

However, Pepper discloses system and method for automatically screening incoming calls and directing the incoming call which teaches the following: detecting the presence of the called party (reads on system determining current location of the called party, col. 10 lines 37-41), and the notification prompting the called party for instructions for handling the incoming the call, and route the call in accordance with instruction from the called party that is received in reply to the notification, and route the call to the called party telephone number if no information is received from the called party in reply to the notification after a set period of time (col. 12 lines 45-63; figs 3, 12A, 12B).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Archer's system to provide for the following: detecting the presence of the called party, and the notification prompting the called party for instructions for handling the incoming the call, and route the call in accordance with instruction from the called party that is received in reply to the notification, and route the call to the called party telephone number if no information is received from the called party in reply to the notification after a set period of time as this arrangement would

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facilitate the called party to respond to the incoming call according to his convenience to suite his needs as taught by Pepper.

Archer differs from claim 3 in that he does not specifically teach the following: presence engine coupled to the internet call routing system, the presence engine being operable to determine the presence of any of the at least one registered communication device.

However, Pepper teaches the following: presence engine coupled to the call routing system, the presence engine (reads on system determining current location of the called party) being operable to determine the presence of any of the at least one registered communication device (col. 12 lines 15-20).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Archer's system to provide for the following: presence engine coupled to the internet call routing system, the presence engine being operable to determine the presence of any of the at least one registered communication device as this arrangement would facilitate sending notifications to the communication device of the user depending upon his presence as taught by Pepper.

Regarding claim 4, Archer teaches the following: internet call routing query comprises an account number associated with called party, a phone number associated with called party, a registration identification associated with the called party, and a certificate associated with the called party (fig. 4; col. 6 lines 30-62).

Regarding claim 5, Archer teaches the following: a gateway (126, fig. 2) coupled between the call handling device and internet call handling system, the gateway being

operable to translate protocols between the signaling system 7 (reads on telephone signaling) and internet protocol (col. 5, lines 33-46).

3. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Archer in view of Pepper as applied to claim 1 above, and further in view of Reding et al. (US 2004/0264654A1, Provisional application No. 60/436,018, filed on Dec. 26-2002, hereinafter Reding).

The combination differs from claim 6 in that he does not explicitly teach the following: at least a short message server, an electronic mail server, an instant messaging server, etc , the servers being coupled internet call routing system, and being operable to forward the notification to registered communication device responsive to instructions from the internet call routing system.

However, Reding teaches the following: at least a short message server, an electronic mail server, an instant messaging server, etc , the servers being coupled internet call routing system, and being operable to forward the notification to registered communication device responsive to instructions from the internet call routing system (paragraphs: 0102-0106).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: at least a short message server, an electronic mail server, an instant messaging server, etc , the servers being coupled internet call routing system, and being operable to forward the notification to registered communication device responsive to instructions from the internet call routing system as this arrangement would facilitate visual notification of

incoming call to the registered communication devices as taught by Reding, thus facilitating the user to receive incoming call notification for display and respond according to user preferences.

Claim 7 is rejected on the same basis as claim 1.

Regarding claim 8, Archer teaches the following: a database (138, fig. 2) operable to store a profile associated with called party including a list comprising the at least one registered communication device, the database being operable to provide the list associated with the called party to the presence logic (col. 6 lines 31-38).

Claim 9 is rejected on the same basis as claim 6.

Claim 10 is rejected on the same basis as claim 4.

Regarding claim 14, Archer teaches the following: at least one registered communication device comprises at least one of a cellular phone (fig. 1) and internet protocol phone (134a, col. 7 lines 3-4).

Claim 15 is rejected on the same basis as claim 1.

Claim 16 is rejected on the same basis as claim 8.

Claim 20 is rejected on the same basis as claim 6.

Claim 21 is rejected on the same basis as claim 14.

Claim 22 is rejected on the same basis as claim 4.

Claim 24 is rejected on the same basis as claim 1.

Claim 25 is rejected on the same basis as claim 8.

Claim 29 is rejected on the same basis as claim 6.

Claim 30 is rejected on the same basis as claim 14.

Claim 31 is rejected on the same basis as claim 4.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Archer in view of Pepper as applied to claim 1 above, and further in view of Cermak et al. (US 6,763,095, filed 9-24-2002, hereinafter Cermak).

The combination differs from claim 2 in that he does not teach the following: certificate authority coupled to internet call routing system, certificate authority being operable to authenticate the called party by searching a customer database for current subscription and payment information.

However, Cermak teaches the following: authentication system by using certificate provide by Public key Infrastructure (34, col. 5, line 60 – col. 6, line 2).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: certificate authority coupled to internet call routing system, certificate authority being operable to authenticate the called party by searching a customer database for current subscription and payment information as this arrangement would provide means for identifying and authenticating users of the system, thereby providing means for checking the eligibility of users to use resources offered by the network.

5. Claims 13,17-18, 26-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Archer in view of Pepper as applied to claims 7, 15, 24 above, and further in view of Balasuriya (US 2003/0041048).

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The combination differs from claims 13,17-18, 26-27 in that it does not teach the following: rules engine being operable to parse at least one rule associated with the called party, the profile also including one rule for processing the call.

However, Balasuriya teaches the following: rules engine (34, fig. 1) being operable to parse at least one rule associated with the called party, the profile also including one rule for processing the call (fig. 1, paragraph: 0019).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: rules engine being operable to parse at least one rule associated with the called party, the profile also including one rule for processing the call as this arrangement would facilitate call processing based on rules set by the subscriber as taught by Balasuriya (see claim 1).

6. Claims 19 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Archer in view of Pepper and Balasuriya as applied to claims 18 and 27 above, and further in view of Reding.

The combination differs from claims 19 and 28 in that it does not teach the following: prompt is an Internet based message.

However, Reding teaches the following: prompt is an Internet based message (paragraph: 0104).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: prompt is an Internet based message as this arrangement would provide one of the methods, among

many possible methods, sending the notification of the incoming call as taught by Reding so that user can make informed decision about responding to the call.

7. Claims 11-12, 23, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arecher in view of Pepper as applied to claims 7, 15, 24 above and further in view of Cermak.

The combination differs from claims 11-12, 23 and 32 in that it does not teach the following: authentication logic coupled to the receive logic operable to employ the certificate associated with the called party to authenticate the called party, authentication logic authenticates the called party, and assures that the called party continues to subscribe to a service provided by the internet call routing system, using the certificate associated with the called party to authenticate the called party.

However, Cermak teaches the following: authentication system by using certificate provide by Public key Infrastructure (34, col. 5, line 60 – col. 6, line 2).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify the combination to provide for the following: authentication logic coupled to the receive logic operable to employ the certificate associated with the called party to authenticate the called party, authentication logic authenticates the called party, and assures that the called party continues to subscribe to a service provided by the internet call routing system, using the certificate associated with the called party to authenticate the called party as this arrangement would provide means for identifying and authenticating users of the system, thereby providing means for checking the eligibility of users to use resources offered by the system.

Response to Arguments

8. Applicant's arguments filed on 1-15-2007 have been fully considered but they are not persuasive.

Rejection of claims 1, 3-5, 7-8, 10, 14-16, 21-22, 24-25, and 30-31 under 35 U.S.C 103(a) as being obvious over Archer (US PAT: 6,683,870, filed 6-25-1998) in view of Pepper et al. (US PAT: 5,930,700, hereinafter Pepper): regarding rejection of claim 1 using the above combination of the references, Applicant alleges that "Pepper does not teach or suggests a "call handling device coupled to the central office, the call handling device operable to receive the query, and trigger an internet call routing query" and an internet call routing system coupled to the call handling device, the internet call routing system being operable to receive the internet call routing query, send a notification of the incoming call to the called party at a plurality of registered communication devices that the called party is detected to be present, the notification prompting the called party for instruction for handling the incoming call, in accordance with instruction from the called party that is received in reply to the notification, and instruct the call handling device to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification device after a set period of time, wherein call handling device forwards the instructions from the internet call routing system to the central office," as recited in claim 1". Regarding this applicant seems to be attributing to Pepper things that office action does not attribute them. Further Office action clearly set up the following: Regarding claim 1, Archer discloses an intelligent interactive call handling system, comprising: a central office in

(118, fig. 2) to trigger a query responsive to receiving a call request to a called party, a call handling device (128, fig. 2) operable to receive query, and trigger an internet call routing query, an internet call routing system (figs. 2-3) coupled to the call handling device, the internet call routing system operable to receive internet call routing query, send a prompt notification of the incoming call to the called party at a plurality of registered communication devices (120a, 120b, 134a, 134b, fig. 2, col. 4, line 18 – col. 7, line 22), call handling device in(128, fig. 2) forwards call handling from the internet call routing system to the central office (this is implied by the fact that when called user has responded to call notification, the server processor 128 terminates connection and then a communication connection is established between a caller telephone 114 (fig. 1) and the called party at, for example telephone 120 b(fig. 1) which implies routing the call through central office: col. 7 lines 14-22).

Archer differs from claim 1 in that he does not specifically teach the following: detecting the presence of the called party, and the notification prompting the called party for instructions for handling the incoming the call, and route the call in accordance with instruction from the called party that is received in reply to the notification, and route the call to the called party telephone number if no information is received from the called party in reply to the notification after a set period of time.

However, Pepper discloses system and method for automatically screening incoming calls and directing the incoming call which teaches the following: detecting the presence of the called party (reads on system determining current location of the called party, col. 10 lines 37-41), and the notification prompting the called party for instructions

for handling the incoming the call, and route the call in accordance with instruction from the called party that is received in reply to the notification, and route the call to the called party telephone number if no information is received from the called party in reply to the notification after a set period of time (col. 12 lines 45-63; figs 3, 12A, 12B).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Archer's system to provide for the following: detecting the presence of the called party, and the notification prompting the called party for instructions for handling the incoming the call, and route the call in accordance with instruction from the called party that is received in reply to the notification, and route the call to the called party telephone number if no information is received from the called party in reply to the notification after a set period of time as this arrangement would facilitate the called party to respond to the incoming call according to his convenience to suite his needs as taught by Pepper.

Applicant makes further arguments, on pages 11-12 of his response, arguing them individually when rejection of claims is based on 35 U.S.C 103(a) which are not persuasive.

Applicant further argues that "neither reference discloses that a central office queries a call handling device which queries an internet call internet call routing system, where the internet call routing system provides instructions to the call handling device for routing the call. The call handling device then uses the instructions to instruct the central office how to route the call". Regarding this, contrary to applicants interpretation of references, Archer clearly teaches the following: a central office in (118, fig. 2)

queries a call handling device in (128, fig. 2) which queries an internet call routing system (128, fig. 2), where the internet call routing system provides instructions to the call handling device for routing the call (col. 4 lines 31-42; col. 6 lines 31-38). Archer further teaches: The call handling device then uses the instructions to instruct the central office how to route the call (this is implied by the fact that when called user has responded to call notification, the server processor 128 terminates connection and then a communication connection is established between a caller telephone 114 (fig. 1) and the called party at, for example telephone 120 b (fig. 1) which implies use of central office to route the call: col. 7 lines 14-22). Even Pepper teaches: The call-handling device (reads on 306, fig. 3) then uses the instructions (provided by the called party) to instruct the central office (reads on 304, fig. 3) how to route the call (col. 12 lines 45-63). Further Pepper teaches: the notification prompting the called party for instructions for handling the incoming call, in accordance with instruction from the called party that is received in reply to the notification, and instruct the call-handling device (reads on 306, fig. 3) to route the call to the called party telephone number if no instruction is received from the called party in reply to notification after a set period of time, wherein call handling device forwards the call handling instructions from the call routing system to the central office (reads on 304, fig. 2; col. 12 lines 45-63). Since combination of Archer and Pepper teaches claim 1 limitations, rejection of claim 1 is maintained as set forth in the office action above.

Regarding rejection of dependent claims 2-6, Applicant arguments are linked to independent claim 1 being allowable which is not as explained above.

Regarding rejection of claim 7, Applicant argues that "Pepper does not teach or suggest "forwarding logic coupled to the call notification logic, the forwarding logic being operable to forward call associated with call query to the registered communication device in accordance with instruction from the called party that is received in reply to the notification, and instruct the call handling device to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification after a set period of time," recited in claim 7". Regarding this, contrary to applicant's interpretation of references, Arches teaches: forwarding logic in (128, fig. 2) coupled to the call notification logic in (128, fig. 2), the forwarding logic being operable to forward call associated with call query to the registered communication device (120, 134, fig. 2) in accordance with instruction (reads on called telephone user response) from the called party that is received in reply to the notification (col. 4 lines 32-42; col. 6 lines 31-38; col. 6, line 57 – col. 7, line 21) and Pepper teaches: instruct the call handling device (reads on 306, fig. 3) to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification after a set period of time (col. 12 lines 45-65). As can be seen from this, the combination of Archer and Pepper teaches the limitation of claim 7, and therefore rejection of claim 7 is maintained. Applicant further arguments on page 15 is noted, but they are not persuasive because applicant talks about Pepper using a single contact number and Archer use of find me system which are not particularly relevant applicant's claim limitations as long as the references teach applicants claim limitations.

Regarding rejection of dependent claims 8-14, Applicant arguments are linked to independent claim 7 being allowable which is not as explained above.

Regarding rejection of claim 15, Applicant argues that "Applicant respectfully submit that independent claim 15 is allowable for at least the reason that Archer in view of Pepper does not discloses, teach, or suggest at least "generating a signal to initiate connection of the call to the registered communication device in accordance with instruction from the called party that is received in reply to the notification, and sending instructions to the call handling device to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification after a set period of time," as recited and emphasized above". Regarding this, contrary to applicant's interpretation of the references, Arches teaches: generating a signal to initiate connection of the call to the register communication device (120, 134, fig. 2) in accordance with instruction (reads on called telephone user response) from the called party that is received in reply to the notification (col. 4 lines 32-42; col. 6 lines 31-38; col. 6, line 57 – col. 7, line 21) and Pepper teaches: sending instructions to the call handling device (reads on 306, fig. 2) to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification after a set period of time (col. 12 lines 45-65). As can be seen from this, the combination of Archer and Pepper teaches the limitation of claim 15, and therefore rejection of claim 15 is maintained. Applicant further arguments on page 17 is noted, but they are not persuasive because applicant talks about Pepper using a single contact number and

Archer use of find me system which are not particularly relevant applicant's claim limitations as long as the references teach applicants claim limitations.

Regarding rejection of dependent claims 16-23, Applicant arguments are linked to independent claim 15 being allowable which is not as explained above.

Regarding rejection of claim 24, Applicant argues that "Applicant respectfully submit that independent claim 24 is allowable for at least the reason that Archer in view of Pepper does not discloses, teach, or suggest at least "generating a signal to initiate connection of the call to the registered communication device in accordance with instruction from the called party that is received in reply to the notification, and sending instructions to the call handling device to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification after a set period of time," as recited and emphasized above". Regarding this, contrary to applicant's interpretation of the references, Arches teaches: generating a signal to initiate connection of the call to the register communication device (120, 134, fig. 2) in accordance with instruction (reads on called telephone user response) from the called party that is received in reply to the notification (col. 4 lines 32-42; col. 6 lines 31-38; col. 6, line 57 – col. 7, line 21) and Pepper teaches: sending instructions to the call handling device (reads on 306, fig. 2) to route the call to the called party telephone number if no instruction is received from the called party in reply to the notification after a set period of time (col. 12 lines 45-65). As can be seen from this, the combination of Archer and Pepper teaches the limitation of claim 24, and therefore rejection of claim 24 is maintained.

Applicant further arguments on page 20 are noted, but they are not persuasive because applicant dwells into other aspects of the references which are not related to applicant's claim limitations, and further argues individual references separately when rejection of claims is based on the combination of references under 35 U.S.C 103(a).

Regarding rejection of dependent claims 25-32, Applicant arguments are linked to independent claim 24 being allowable which is not as explained above.

9. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

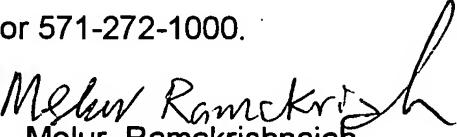
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614